

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:

New England Motor Freight, Inc.

Case No.: 19-12809
Chapter: 11
Hearing Date: 11/19/2019
Judge: Sherwood



Order Filed on November 20,
2019 by Clerk U.S. Bankruptcy
Court District of New Jersey

ORDER APPROVING DEBTORS' AND OFFICIAL COMMITTEE OF UNSECURED
CREDITORS' MOTION FOR AN ORDER APPROVING SETTLEMENTS

The relief forth on the following pages, numbered two (2) through__ is
ORDERED.

DATED: November 20,
2019


Honorable John K. Sherwood
United States Bankruptcy Court

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

NEW ENGLAND MOTOR FREIGHT, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 19-12809 (JKS)

(Joint Administration)

¹ The Debtors in these chapter 11 cases and the last four digits of each Debtor's taxpayer identification number are as follows: New England Motor Freight, Inc. (7697); Eastern Freight Ways, Inc. (3461); NEMF World Transport, Inc. (2777); Apex Logistics, Inc. (5347); Jans Leasing Corp. (9009); Carrier Industries, Inc. (9223); Myar, LLC (4357); MyJon, LLC (7305); Hollywood Avenue Solar, LLC (2206); United Express Solar, LLC (1126); and NEMF Logistics, LLC (4666).

Debtors: New England Motor Freight, Inc., *et al.*

Case No.: 19-12809 (JKS)

Caption: Order Approving Debtors' and Official Committee of Unsecured Creditors' Motion for an Order Approving Settlements Pursuant to 11 U.S.C. §§ 105(a), 363, 502, 503, and 506 and Fed. R. Bankr. P. 3003, 4001, 6004, and 9019

ORDER APPROVING DEBTORS' AND OFFICIAL COMMITTEE OF UNSECURED CREDITORS' MOTION FOR AN ORDER APPROVING SETTLEMENTS PURSUANT TO 11 U.S.C. §§ 105(a), 502, 503, AND 506 AND FED. R. BANKR. P. 3003, 4001, 6004, AND 9019

Upon consideration of the motion (the “**Motion**”)² of the above-captioned debtors and debtors in possession (the “**Debtors**”) and the Official Committee of Unsecured Creditors (the “**Committee**”) for entry of an order approving and authorizing the Debtors and Committee to enter into settlements (the “**Settlements**”) with Santander Bank, N.A.; Fifth Third Bank; Wells Fargo Equipment Finance, Inc.; and VFS US LLC (collectively, the “**Settling Lenders**”), attached to the Motion as Exhibits A-D, pursuant to sections 105(a), 363, 502, 503, and 506 of the United States Bankruptcy Code (the “**Bankruptcy Code**”), Rules 3003, 4001, 6004, and 9019 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), and D.N.J. LBR 9019-3; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11* by the United States District Court for the District of New Jersey dated September 18, 2012 (Simandle, C.J.); and venue being proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and notice of the Motion being sufficient under the circumstances; and it appearing that no other or further notice need be provided; and the Court having determined that the relief sought in the Motion is in the best interests of the Debtors, their estates and creditors; and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

Debtors: New England Motor Freight, Inc., *et al.*

Case No.: 19-12809 (JKS)

Caption: Order Approving Debtors' and Official Committee of Unsecured Creditors' Motion for an Order Approving Settlements Pursuant to 11 U.S.C. §§ 105(a), 363, 502, 503, and 506 and Fed. R. Bankr. P. 3003, 4001, 6004, and 9019

2. The Settlements attached to the Motion as Exhibits A – D are hereby approved.
3. All objections to the Motion and to the entry of this Order, if any, are overruled.
4. The notice of the Motion provided by the Debtors and Committee is hereby deemed sufficient under the circumstances and, to the extent applicable, the requirements of Rule 2002 of the Bankruptcy Rules are hereby waived.
5. The requirement set forth in Local Rule 9013-1(a)(3) that any motion be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Motion, or is otherwise waived.
6. The Debtors and Committee are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order.
7. This Order shall be effective immediately upon entry, notwithstanding anything to the contrary in the Bankruptcy Rules or the Local Rules of the United States Bankruptcy Court for the District of New Jersey.
8. This Court shall retain exclusive jurisdiction to hear and decide any and all disputes related to or arising from the implementation, interpretation or enforcement of this Order.